

775
8-29-01
JC**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*O I P E JCTY
AUG 24 2001
P A T E N T & T R A D E M A R K O F F I C E*

Applicant: Ryuichi KATAYAMA
Title: OPTICAL HEAD APPARATUS
Appl. No.: 09/442,773
Filing Date: 11/18/1999
Examiner: Unassigned
Art Unit: 2754

*RECEIVED
AUG 28 2001
Technology Center 2600*

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Box GROUP ART UNIT 2754
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Documents A1, A3, and A4 listed on the attached PTO-1449 were cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Document A2 is a U.S. counterpart of documents A3 and A4. English translations of the Japanese documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider any submitted document (37 CFR § 1.98 and MPEP § 609). English language abstracts are provided here with for documents A3 and A4.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

Date: August 24, 2001

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By Thomas D. Blachelder Reg. No. 413,438
for David A. Blumenthal
Attorney for Applicant
Registration No. 26,257